



The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES
STATE HOUSE, BOSTON 02133-1054

RONALD MARIANO
STATE REPRESENTATIVE
3RD NORFOLK DISTRICT

DISTRICT: (617) 328-5166

E-Mail: Rep.RonaldMariano@hou.state.ma.us

Chairman

Committee on Insurance

STATE HOUSE, ROOM 254

TEL. (617) 722-2220

FAX (617) 722-2821

January 25, 2002

The Honorable Colleen Kollar-Kotelly
U.S. District Court, District of Columbia
C/o Renata B. Hesse
Antitrust Division
U.S. Department of Justice 601 D Street NW
Suite 1200
Washington, DC 20530-0001

Dear Judge Kollar-Ketelly,

I am writing with regard to the settlement between the Department of Justice and Microsoft in U.S. v Microsoft. It appears that this settlement will enable Microsoft to continue to expand its monopoly with regard to emerging markets and may violate antitrust laws.

Microsoft's ability to bolt financial services, cable services and the Internet to its Microsoft Windows program is of great concern. As companies develop software, they will be unable to address the issue of affordability due to the dependency on Windows technology.

Microsoft is required to share technological information unless they determine the information may harm their security or software. Additionally, Microsoft dictates the technologies, which will be compatible with Windows. As such, entities will be unable to choose high value systems they need for privacy and security if that compatibility doesn't exist.

As I feel that this agreement raises significant questions affecting the equity and fairness of the settlement, I ask for your consideration of a more appropriate solution to this matter. Thank you for your time and attention to this matter.

Sincerely,

RONALD MARIANO
State Representative

cc:

The Honorable Thomas Reilly, Massachusetts Attorney General